

# **DRAFT ENVIRONMENTAL ASSESSMENT**

## **LOGAN FISHING ACCESS SITE PROPOSED ACQUISITION**



JULY 2010



***Montana Fish,  
Wildlife & Parks***

**Logan Fishing Access Site  
Proposed Acquisition  
Draft Environmental Assessment  
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

**PART I. PROPOSED ACTION DESCRIPTION**

**1. Type of proposed state action:**

Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately 1.5 acres of land in the town of Logan, Montana, along the Gallatin River for the purpose of establishing a fishing access site (FAS). The landowner has offered to donate the property to FWP.

**2. Agency authority for the proposed action:**

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs Montana Fish Wildlife and Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule. See Appendix A for HB 495 qualification.

**3. Name of project:**

Logan Fishing Access Site Proposed Acquisition

**4. Project sponsor:**

Montana Fish, Wildlife and Parks, Region 3  
1400 South 19<sup>th</sup> Ave  
Bozeman, MT 59718  
(406) 994-4042

**5. Anticipated Schedule:**

Estimated Public Comment Period: July - August 2010

Estimated Decision Notice: August 2010

FWP Commission and Land Board Consideration: August 2010

6. **Location:**

The Logan Fishing Access Site Proposed Acquisition is located within the town of Logan, Montana along the Gallatin River, one half mile north of Interstate 90 and seven miles east of Three Forks in Gallatin County. The land is located in Section 36, Township 2 North, Range 2 East.

Figure 1. Logan Proposed Acquisition General Location



Figure 2. Logan Fishing Access Site Proposed Acquisition Location

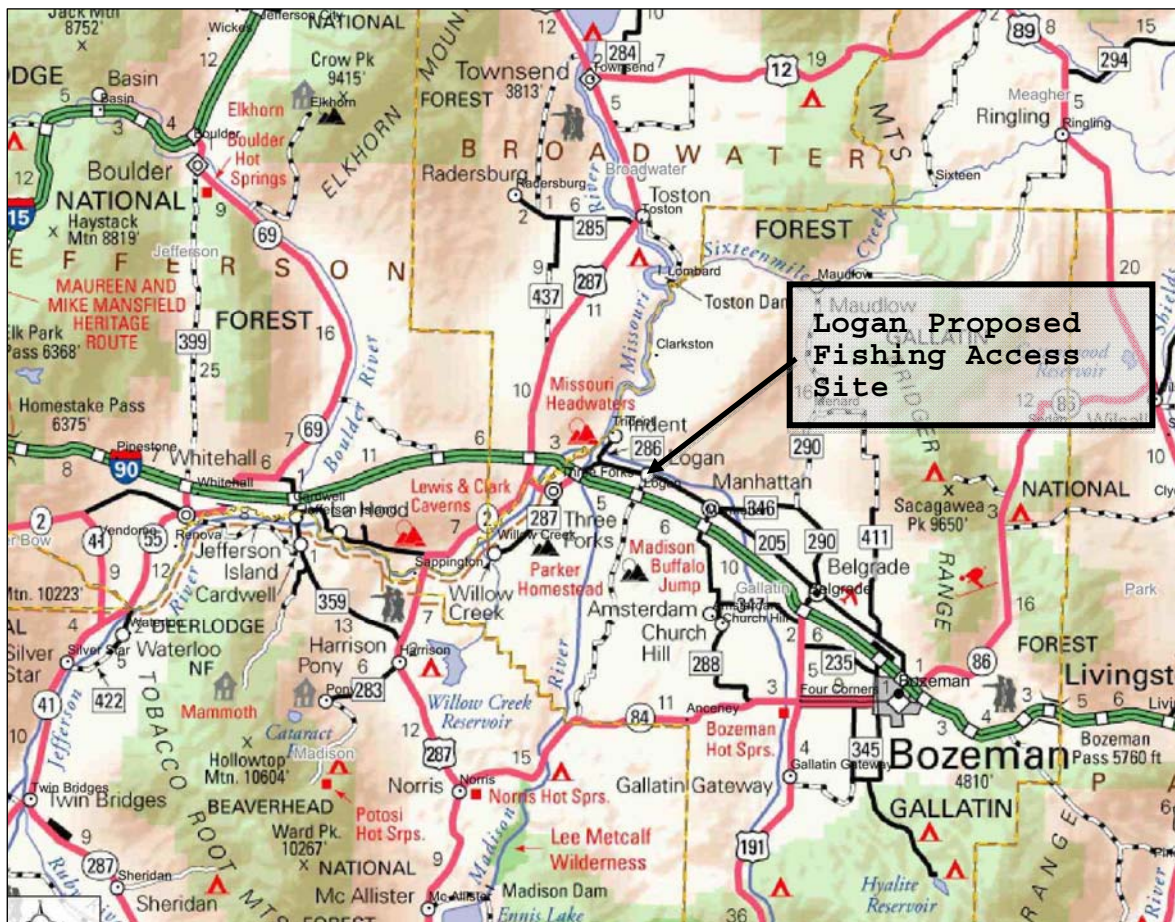




Figure 3. Logan Fishing Access Site Proposed Acquisition  
Lots 1 – 4 and 11 - 15.



7. **Project size:**

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain (100 year)	<u>1.5</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/	<u>0</u>	Irrigated cropland	<u>0</u>
Woodlands/Recreation		Dry cropland	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Forestry	<u>0</u>
Areas		Rangeland	<u>0</u>
		Other	<u>0</u>

8. **Local, State or Federal agencies with overlapping or additional jurisdiction:**

(a) **Permits:** None required.

(b) **Funding:** Property is being donated to FWP.

**(c) Other Overlapping or Additional Jurisdictional Responsibilities:** Section 7-22-2154 (2), MCA requires a weed inspection by the county weed district before acquiring new land. The weed inspection has been completed by Gallatin County Weed District (Appendix D Weed Inventory).

**9. Narrative summary of the proposed action:**

There are eight fishing access sites managed by FWP along the Gallatin River, one located on the East Gallatin River near Bozeman and the remaining seven on the West Gallatin River. The proposed acquisition site at Logan (river mile 6) would provide the only public access to the Gallatin River between Gallatin Forks (river mile 13) and Headwaters State Park (river mile 0). There are no indications that the property has been used as a primitive access to the river with either a primitive parking area or boat launch.

The acquisition of this 1.5-acre parcel along the Gallatin River would allow FWP to preserve this stretch of riparian and open-space habitat and allow for permanent public access to this stretch of a popular river for fishing and rafting. The land, if acquired, would be open to the general public. If acquired, regulation and informational signs including highway approach signs would be posted.

The Gallatin River rises in two branches on the north face of Three Rivers Peak in Yellowstone National Park. It flows northwest 120 miles, 97 of which are in Montana, to Three Forks, Montana, where it converges with the Jefferson and Madison Rivers to form the Missouri River. Meriwether Lewis named the river in 1805 for Albert Gallatin, the U.S. Treasury Secretary from 1801 – 1812. The central fork was named for Secretary of State James Madison, and the western fork for President Thomas Jefferson. In addition to being a very popular fly fishing destination, with portions being designated as a Blue Ribbon trout stream and the remainder designated Red Ribbon by FWP, the Gallatin River is also popular for scenic and other recreational values. The river is very popular for all levels of whitewater rafting with a one-mile section of class IV rapids called the “Mad Mile”. The Gallatin River is also scenic, winding through high alpine meadows, dropping into the rocky Gallatin Canyon, and flowing out into the Gallatin Valley.

The Gallatin River is about twelve miles long from the confluence of the West and East Gallatin Rivers to Three Forks, Montana, where it joins the Jefferson and Madison Rivers to form the Missouri River. In this section, the river flows through a narrow valley consisting of agricultural and grazing lands. The banks are primarily undercuts, and long deep pools provide much of the fish cover. Except for the East and West Gallatin Rivers, tributaries to the Gallatin River are limited to a few spring creeks. Water can be slightly turbid year-round due to the sediment input from the East Gallatin River. The Gallatin River below the confluence of its forks suffers from sedimentation, warm temperatures, dewatering, and the presence of *M. cerebralis*, the causative agent of whirling disease. Trout populations decline in the lower river due to these factors and a variety of other cumulative impacts. Recent surveys conducted by FWP show that the Gallatin River from river miles 0 – 12 (Logan is at river mile 6) supported an average of 9,628 angler days per year between 2001 and 2007, with a high of 20,316 and low of 5,195, and statewide rankings for fishing pressure ranged from a high of 31 to a low of 105. The Gallatin River from river miles 12 – 98 supported an average of 36,046 angler days per year with state rankings ranging from 10 to 25 for the same time period. Despite lower trout

populations in the lower Gallatin River, based upon the popularity of the Gallatin River it is still likely that the angler use of the 0 – 12 mile stretch would be higher with public access to this stretch which currently only has inconvenient and somewhat dangerous access at several bridge crossings. Game fish opportunities include rainbow trout, brown trout, and mountain whitefish.

Wildlife species whose habitat distribution overlaps the proposed acquisition property include whitetailed and mule deer, antelope, mountain lion, moose, black bear, beaver, river otter, small mammals (voles, shrews and mice), bald eagles, sage grouse, pheasant, Hungarian partridge, sharptail grouse, raptors, waterfowl, and migratory and neotropical song birds.

The vegetation found on the proposed acquisition property consists of upland grassland with small areas of riparian grasses along the river bank. The grassland consists primarily of crested wheatgrass with reed canarygrass, smooth brome, and sedges along the riverbank. Very few trees or shrubs are found on the property with several black cottonwood trees and Wood's rose shrubs found along the riverbank. Common introduced species found on the property include annual pepperweed and crested wheatgrass. The most common noxious weeds found on the property include spotted knapweed on drier sites, and leafy spurge and common tansy along the river.

This environmental analysis focuses solely on the acquisition of the 1.5-acre parcel along the Gallatin River at Logan, Montana. If FWP were to initiate new development of the property for a fishing access site, a separate environmental assessment would be completed and the public would have the opportunity to comment on proposed developments.

## **PART II. ENVIRONMENTAL REVIEW**

### **1. Description and analysis of reasonable alternatives:**

#### **Alternative A: No Action**

If no action were taken, the landowner could retain or dispose of the property at his option, but FWP would lose the opportunity to accept the proposed land donation and provide public access to this stretch of the Gallatin River.

#### **Alternative B: Proposed Action**

FWP would accept a donation of the 1.5-acre tract of land in order to establish a fishing access site (FAS) and provide public access to this stretch of the Gallatin River for fishing, wildlife viewing, and rafting.

### **2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

There are no mitigation, stipulations, or other controls associated with the actions. Therefore, no evaluation is necessary.

## **PART III. ENVIRONMENTAL REVIEW CHECKLIST**

**Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

### **A. PHYSICAL ENVIRONMENT**

1. <b><u>LAND RESOURCES</u></b>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

The proposed acquisition would have no effect on existing soil patterns, structures, productivity, fertility, erosion, compaction, or instability because no soil-disturbing activities are immediately planned for the property by FWP.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		NA				

The proposed acquisition will have no effect on ambient air quality. If the property is developed in the future, there could be minor, localized increases to the existing particulate levels as a result of increased traffic to the site.

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3. <u>WATER</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?			X		Yes	3c.
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?			X		Yes	3e.
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		NA				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		NA				

The proposed acquisition would have no effect on surface water, drainage patterns, or groundwater.

3c. The property, and the adjacent residential subdivision, fall entirely within the 100-year flood plain of this section of the Gallatin River. As a result, a flood control berm was built along the bank of the Gallatin River through the town of Logan by the Gallatin County Flood Control District to protect these properties from flooding. In order for a boat ramp to be constructed, FWP would need to develop an engineering plan that would be subject to approval by Gallatin County which would evaluate any potential impacts on the susceptibility of the area to flood impacts. Specific site-development plans proposed by FWP would also be subject to public review and comment in a future environmental assessment.

3e. FWP acquisition of the site would have no impacts on site conditions and thus would not affect flood potential.

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4. <b>VEGETATION</b>	<b>IMPACT *</b>					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				

- 4a. The vegetation found on the proposed acquisition property consists of upland grassland with small areas of riparian grasses along the riverbank. The grassland consists primarily of crested wheatgrass with reed canarygrass, smooth brome, and sedges along the riverbank. Very few trees or shrubs are found on the property with several black cottonwood trees and Wood's rose shrubs found along the riverbank. Common introduced species found on the property include annual pepperweed and crested wheatgrass. The property is relatively noxious weed free, with small amounts of spotted knapweed on drier sites and leafy spurge and common tansy along the river, according to John Ansley of the Gallatin County Weed Control District.
- 4c. A search of the Montana Natural Heritage Program's (MNHP) Species of Concern database found no vascular or non-vascular plants of significance within the boundaries of the proposed acquisition property.
- 4e. The primary noxious weeds currently found on the property include small amounts of leafy spurge and common tansy along the river and flood control berm, and spotted knapweed on the berm and on a drier site away from the riverbank. If the acquisition were approved, FWP would initiate the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods. Weed management would facilitate the restoration of native vegetation and prevent the spread of weeds. Vehicles would be restricted to the parking area and roadway, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas of the site.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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<b>** 5. <u>FISH/WILDLIFE</u></b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
<b>Will the proposed action result in:</b>						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b.
c. Changes in the diversity or abundance of nongame species?		X				5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				5g.
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		NA				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		NA				

5b/5c. According to FWP game and nongame wildlife biologists Julie Cunningham and Mike Ross and a review of Natural Resource Program Tracker, wildlife species whose habitat distribution overlaps the proposed acquisition area include whitetailed and mule deer, antelope, mountain lion, moose, black bear, beaver, river otter, small mammals (voles, shrews and mice), bald eagles, sage grouse, pheasant, Hungarian partridge, sharptail grouse, raptors, waterfowl, and migratory and neotropical song birds. According to FWP wildlife biologist Julie Cunningham, the acquisition of the 1.5-acre-parcel along the Gallatin River at Logan would have no negative impact on wildlife or wildlife habitat.

According to FWP fisheries biologist Mike Vaughn, common fish species found in this stretch of the Gallatin River include brown trout, rainbow trout, mountain whitefish, mottled sculpin, longnose dace, longnose suckers, and white suckers. According to recent surveys by FWP, the number of angler days per year between 1997 and 2007 averaged 9,303, with a low of 5,195 in 2001 and a high of 20,316 in 2005. The state ranking for this stretch of river ranged from 31 to 105 during this same period. Common game fish include brown trout, rainbow trout, and mountain whitefish. The proposed acquisition is not expected to have any impact on the aquatic habitat or species of the Gallatin River.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

- 5f. A search of the Natural Resources Information System (NRIS) provided by the Montana Natural Heritage Program showed that the bald eagle, a federally threatened species, is found within two miles of the proposed acquisition property. The proposed acquisition is unlikely to have any impact on bald eagles since there is so much activity and disturbance already in the area from nearby residential subdivisions, railroad lines, and the interstate freeway. NRIS also identified the greater short-horned lizard, a sensitive species, within two miles of the proposed acquisition property. The proposed project is unlikely to have any impact on the greater short-horned lizard since its habitat consists of stony soils with sparse cover of grass and sagebrush, which is not found on the proposed acquisition site (Appendix B – Native Species Report).

According to Mike Ross, FWP wolf biologist, gray wolves do not frequent the area and will not be affected by the proposed acquisition.

- 5g. The proposed acquisition and later FAS development is unlikely to stress or impact fish or wildlife populations in the future since the area is located in a disturbed area with a residential subdivision, cultivated fields, railroad tracks, and interstate freeway nearby.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

The proposed acquisition would have no change in electrical levels and would not interfere with radio or television reception or operation.

- 6a. Visitor use could increase noise levels and disturb neighbors. However, no camping would be allowed and a noise buffer created by a county park and the proposed land donation to the American Legion located between the residential neighborhood and the property would minimize noise disturbance.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

The property is currently undeveloped, vacant open space and is not currently used for commercial or agricultural purposes. In addition, no primitive parking or launching facilities are located on the property. The proposed action would not alter or interfere with the productivity or profitability of the existing land use of the property.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



8. <u>RISK/HEALTH HAZARDS</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor*	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X		Yes	8c.
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

8a. If acquired, FWP would address the noxious weeds on the property (Appendix D - Weed Inventory). The Statewide Integrated Weed Management Plan calls for an integrated method of managing weeds. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means to reduce the risk of chemical spills or water contamination.

8c. The road to the property crosses three railroad tracks, on which 20 to 30 trains cross per day, according to Montana Rail Link. Although this railroad crossing is not located on the property, it is possible there would be an increase in the number of accidents at this crossing as a result of increased vehicular traffic to the property. The signal and gate currently operating at this crossing should minimize additional accidents.

The old wooden water tower found within 100 yards of the southeast corner of the proposed acquisition, owned by the local water association and located on property owned by Burlington Northern Railroad, has a ladder reaching from the ground to the top of the tank. This could become an attractive nuisance if the property is acquired and developed as a fishing access site. However, a local preservation group wants to save the tower. In the event the tower is not removed, precautions would need to be taken, such as removing the ladder, to prevent injuries to the public. Burlington Northern Railroad, the local water association, and the local preservation group would be contacted to assess safety options.

A parking area would be developed on the proposed acquisition property during FAS development to reduce or eliminate the hazards and nuisance of parking along the road.

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9. <b><u>COMMUNITY IMPACT</u></b>  Will the proposed action result in:						
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X		Positive	9c.
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X		Yes	9e.

9c. The proposed project is likely to improve tourism in the area by increasing the number of visitors to the town of Logan, which will benefit local retail and service businesses (Appendix C - Tourism Report).

9e. Establishing public access will most likely increase vehicle trips per day in and out of Logan, which may increase traffic hazards.

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<b>10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X				
f. **Define projected maintenance costs.		X				10 f.

The proposed project would have no impact on public services, taxes, or utilities

- 10b. There would be no change in the tax base since FWP would pay property taxes in an amount equal to that of a private individual.
- 10f. Weed control costs for 2010 are estimated to be less than \$500.

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<b>** 11. <u>AESTHETICS/RECREATION</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				11a.
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X		Positive	11c.
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		NA				

11a. FWP envisions the proposed FAS to be for day use only, with no camping allowed, and with future development of a small parking area, vault latrine, new boundary fencing, and signs.

11c. Acquisition of this property would allow for public use for fishing, rafting, and wildlife viewing, improving recreational opportunities along the popular Gallatin River and obtaining public access to the lower Gallatin River, which has been a high priority for FWP.

<b>12. <u>CULTURAL/HISTORICAL RESOURCES</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		NA				

No groundbreaking activities that could disturb cultural resources would be initiated as part of the proposed acquisition. A clearance from the State Historic Preservation Office (SHPO) would be obtained before any groundbreaking activity was initiated in the future.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		NA				
g. ****For P-R/D-J, list any federal or state permits required.		NA				

The proposed action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the proposed action poses positive effects towards the public's access of the scenic Gallatin River, a popular river for recreation.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



### **PART III. NARRATIVE EVALUATION AND COMMENT**

The proposed action will have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the proposed action poses positive effects towards the public's access of the scenic Gallatin River, a popular river for recreation.

The minor impacts to the environment that were identified in the previous section are small in scale and will not influence the overall environment of the immediate area. The natural environment will continue to provide habitat to transient and permanent wildlife species and will be open to the public for access to the river.

Based upon the weed inventory conducted by the Gallatin County Weed Control District, the proposed acquisition property is relatively weed free with small amounts of common tansy, leafy spurge, and spotted knapweed on the property. If acquired, FWP would initiate the Statewide Integrated Weed Management Plan using biological, chemical, and physical methods of weed control.

The proposed alternative will have no negative impact on the local wildlife species that frequent the property, will not increase negative conditions that stress wildlife populations, and is not considered critical habitat for any species. Even though the area is within the habitat of bald eagles, the proposed project is unlikely to have any impact on this species since there is already so much activity and disturbance in the area from the residential subdivision and nearby rail line and interstate freeway. While it is possible for wolves to travel through the project area, none have been sighted in the area and it is unlikely that the proposed acquisition or any subsequent development would impact gray wolves.

This stretch has historically supported an excellent fishery for angling and, based upon FWP surveys, has supported an average of 9,303 angler days per year since 1997, with a high of 20,316 in 2005. It is likely that angler use of this stretch of the Gallatin River would increase with improved access. It is also possible that having an additional fishing access site on the Gallatin River could cause visitor use to be redistributed, thereby reducing the pressure on neighboring fishing access sites.

This environmental analysis focuses solely on the acquisition of the property. If FWP were to initiate new development of the property for a fishing access site, a separate environmental assessment would be completed and the public would have the opportunity to comment on proposed improvements.

The proposed acquisition of a 1.5-acre parcel along the Gallatin River would allow FWP to provide public access for anglers, floaters, rafters, and other recreationists to the Gallatin River, increasing other public recreational opportunities and providing access to a stretch of river that has been a high priority for FWP and the public.

## **PART IV. PUBLIC PARTICIPATION**

- 1. Describe the level of public involvement for this project, if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public will be notified in the following manners to comment on the Logan Proposed Acquisition:

- Two public notices in each of these papers: the *Three Forks Herald*, the *Bozeman Daily Chronicle*, and the *Helena Independent Record*
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Direct notice will be given to adjacent landowners.
- Draft EA's will be available at the FWP Region 3 Headquarters in Bozeman and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 3 issues.
- Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

If requested within the comment period, FWP will schedule and conduct a public meeting on this proposed project.

- 2. Duration of comment period.**

Written comments will be accepted until 5:00 p.m., August 25, 2010, and can be e-mailed to [tgarrett@mt.gov](mailto:tgarrett@mt.gov).

or mailed to the address below:

Logan Fishing Access Site Proposed Acquisition  
Montana Fish, Wildlife & Parks, Region 3  
1400 South 19<sup>th</sup> Ave  
Bozeman, MT 59718

## **PART V. EA PREPARATION**

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? NO  
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed

the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value effected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

**2. Persons responsible for preparing the EA:**

Todd Garrett  
Region 3 Fishing Access Site Manager  
1400 South 19<sup>th</sup> Ave  
Bozeman, MT 59718  
[tgarrett@mt.gov](mailto:tgarrett@mt.gov)  
(406) 994-4042

Andrea Darling  
FWP EA Contractor  
39 Big Dipper Drive  
Montana City, MT 59634  
[apdarling@gmail.com](mailto:apdarling@gmail.com)

Jerry Walker  
Regional 3 Parks Manager  
1400 South 19<sup>th</sup> Ave  
Bozeman, MT 59718  
[gwalker@mt.gov](mailto:gwalker@mt.gov)  
(406) 994-4042

**3. List of agencies consulted during preparation of the EA:**

Gallatin County Weed District  
Montana Department of Commerce – Tourism  
Montana Fish, Wildlife & Parks  
    Parks Division  
        Design and Construction Section  
    Fish and Wildlife Division  
        Fisheries Bureau  
        Wildlife Bureau  
    Lands Unit  
    Legal Unit  
Montana Natural Heritage Program – Natural Resources Information System (NRIS)

**APPENDICES**

- A. MCA 23-1-110 Qualification Checklist
- B. Native Species Report - Montana Natural Heritage Program (MNHP)
- C. Tourism Report – Department of Commerce
- D. Gallatin County Weed Control District Weed Inventory

## APPENDIX A

### 23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

**Date:** July 19, 2010

**Person Reviewing:** Andrea Darling

**Project Location:** Logan Fishing Access Site Proposed Acquisition is in the town of Logan along the Gallatin River, 7 miles east of Three Forks, Montana and one-half mile north of Interstate 90 in Gallatin County, Section 36 T2N R2E.

**Description of Proposed Work:** Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately 1.5 acres of land in the town of Logan, Montana along the Gallatin River for the purpose of establishing a fishing access site (FAS). The landowner has offered to donate the property to FWP.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ✓ all that apply and comment as necessary.)

- [ ] **A. New roadway or trail built over undisturbed land?**  
Comments: No roadways or trails.
- [ ] **B. New building construction (buildings <100 sf and vault latrines exempt)?**  
Comments: No new construction.
- [ ] **C. Any excavation of 20 c.y. or greater?**  
Comments: No excavation.
- [ ] **D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**  
Comments: No new parking lots.
- [ ] **E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**  
Comments: No shoreline alteration.
- [ ] **F. Any new construction into lakes, reservoirs, or streams?**  
Comments: No new construction.
- [ ] **G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**  
Comments: No construction.
- [ ] **H. Any new above ground utility lines?**  
Comments: No new utility lines.
- [ ] **I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**  
Comments: No camping.
- [ ] **J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**  
Comments: No.

If any of the above is checked, 23-1-110 MCA rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.



## APPENDIX B

### NATIVE SPECIES REPORT – MONTANA NATURAL HERITAGE PROGRAM

#### Sensitive Plants and Animals in the Logan Fishing Access Site Proposed Acquisition Area

##### Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (<http://nris.mt.gov>) indicates occurrences of the federally listed threatened bald eagle within two miles of the proposed acquisition site. No other occurrences of federally listed endangered or threatened animal or plant species have been found within the vicinity of the proposed acquisition site. The search indicated that the project area is within the habitat for the greater short-horned lizard and gray wolf. More information on these species is included below.

**Montana Species of Concern.** The term “**Species of Concern**” includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

##### Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are “at-risk”. Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known “occurrences” or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species’ life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

Status Ranks	
Code	Definition
<b>G1</b> <b>S1</b>	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
<b>G2</b> <b>S2</b>	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
<b>G3</b> <b>S3</b>	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
<b>G4</b> <b>S4</b>	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
<b>G5</b> <b>S5</b>	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

**MFWP Conservation Need.** Under Montana's Comprehensive Fish and Wildlife Conservation Strategy of 2005, individual animal species are assigned levels of conservation need as follows:

- Tier I.** Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.
- Tier II.** Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.
- Tier III.** Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.
- Tier IV.** Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.

## SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF POWERHOUSE FAS

### 1. *Haliaeetus leucocephalus* (Bald Eagle)

#### Natural Heritage Ranks

State: **S3**

Global: **G5**

#### Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

U.S. Forest Service: **Threatened**

U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **1**

Element Occurrence data was reported of bald eagle within two miles of the project area. Last observation date was 2006.

### 2. *Canis Lupus* (Gray Wolf)

#### Natural Heritage Ranks

State: **S3**

Global: **G4**

#### Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **1**

Element Occurrence data was reported of gray wolf within two miles of the project area. Last observation date was 2006.

### 3. *Phrynosoma hernandesi* (Greater Short-horned Lizard)

#### Natural Heritage Ranks

State: **S3**

Global: **G5**

#### Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **1**

Element Occurrence data was reported of greater short-horned lizard within one mile of the project area. Last observation date was 1903.

## **APPENDIX C**

### **TOURISM REPORT**

#### **MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110**

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager  
Travel Montana-Department of Commerce  
301 S. Park Ave.  
Helena, MT 59601

**Project Name:** Logan Fishing Access Site Proposed Acquisition

**Project Description:**

Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately 1.5 acres of land in the town of Logan, Montana along the Gallatin River for the purpose of establishing a fishing access site (FAS). The landowner has offered to donate the property to FWP.

1. Would this site development project have an impact on the tourism economy?  
NO **YES** If YES, briefly describe:

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy. We are assuming that the agency has determined it has the necessary funding for the on-going operations and maintenance once this project is complete.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?  
NO **YES** If YES, briefly describe:

Yes, as described, the project has the potential to improve the quality and quantity of tourism and recreational opportunities. We are assuming that the agency has determined it has the necessary funding for the on-going operations and maintenance once this project is complete.

Signature Carol Crockett, Visitor Services Manager Date: April 26, 2010

## APPENDIX D WEED INVENTORY

FWP Land Acquisition – Weed Inspection and Report

### COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

*FWP Regional Staff: Please return this form to  
FWP Lands Bureau, P.O. Box 200701, Helena, MT 59620*

Property Name: FWP - Logan Site FWP Region: 3  
County: Gallatin  
Date of Property Inspection with County Weed Management District: 4/30/2010  
County Representative(s): John Ansley, Gallatin County Weed Coordinator  
FWP Staff: Todd Garrett

County Weed Management District - Inspection Report (Please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

There were 3 common tansy skeletons along the bank of the river.  
A few small patches of leafy spurge was found along the berm in the  
NE corner. Also, a small patch of spotted knapweed was found along  
the berm at the north end of the property & 1 plant at the south end.  
All in all, the property is very clean.

Noxious Weed Management Agreement (Please attach applicable weed management agreement or use the space below to indicate how noxious weeds on the property will be managed when the property is under FWP ownership. Indicate if property will be included in an FWP county or regional weed management plan):

FWP will manage the noxious weeds on the property by having  
FWP staff treat the area with herbicides & hand pulling or by contracting  
the work to Gallatin County Weed District or a Commercial Applicator.  
FWP plans to add this to their Weed Management Plan.

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP's weed management plan for the property, as presented above and/or described in the attached information.

Signed: John Ansley

Date: 5/6/2010



